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6 **UNITED STATES DISTRICT COURT**
7 **FOR THE NORTHERN DISTRICT OF TEXAS**
8 **Dallas Division**

9 **CASE NO.:**

319 - CV 0870 - S

10 Peter Strojnik

11 Plaintiff,

12 vs.

13
14 Extel Development Company dba Four
15 Seasons Hotel Dallas

16 Defendant.

17 **COMPLAINT**

- 18 1. Plaintiff brings this action pursuant to the (1) Americans with Disabilities Act, 42
19 U.S.C. §12101 *et seq.* and corresponding regulations, 28 CFR Part 36 and Department
20 of Justice Standards for Accessible Design (“ADAAG”), and (2) common law of
21 negligence per se.

22 **PARTIES**

- 23 2. Plaintiff Peter Strojnik is a veteran and a disabled person as defined by the ADA.
24 3. Plaintiff is a single man currently residing in Maricopa County, Arizona. Plaintiff is
25 and, at all times relevant hereto has been, legally disabled by virtue of a severe right-
26 sided neural foraminal stenosis with symptoms of femoral neuropathy, prostate cancer
27 and renal cancer, degenerative right knee and arthritis and is therefore a member of a
28 protected class under the ADA.

- 1 4. Plaintiff suffers from physical impairments described above which impairments
2 substantially limit his major life activities. Plaintiff walks with difficulty and pain
3 and requires compliant mobility accessible features at places of public
4 accommodation. Plaintiff's impairment is constant, but the degree of pain is episodic
5 ranging from dull and numbing pain to extreme and excruciating agony.
- 6 5. Plaintiff is retired and likes to spend his retirement years traveling the United States.
- 7 6. Defendant, owns, operates leases or leases to a lodging business ("Hotel") located at
8 4150 N. MacArthur Blvd., Dallas, TX 75038 which is a public accommodation
9 pursuant to 42 U.S.C. § 12181(7)(A).

JURISDICTION

- 10 7. District Court has jurisdiction over this case or controversy by virtue of 28 U.S.C. §§
11 28-1331 and 42 U.S.C. § 12188 and 28 U.S.C. § 1367.
- 12 8. Plaintiff brings this action as a private attorney general who has been personally
13 subjected to discrimination on the basis of his disability, *see* 42 U.S.C. §12188 and
14 28 CFR §36.501.
- 15 9. This Court has continuing subject matter jurisdiction by virtue of, *inter alia*,
16 Plaintiff's claim for equitable nominal damages.
- 17 10. Venue is proper pursuant to 28 U.S.C. § 1391.
- 18 11. The ADAAG violations in this Verified Complaint relate to barriers to Plaintiffs
19 mobility. This impairs Plaintiff's full and equal access to the Hotel which, in turn,
20 constitutes discrimination satisfying the "injury in fact" requirement of Article III of
21 the United States Constitution.
- 22 12. Plaintiff is deterred from visiting the Hotel based on Plaintiff's knowledge that the
23 Hotel is not ADA or State Law compliant as such compliance relates to Plaintiff's
24 disability.
- 25 13. Plaintiff intends to visit Defendant's Hotel at a specific time when the Defendant's
26 noncompliant Hotel becomes fully compliant with ADAAG; just as a disabled
27 individual who intends to return to a noncompliant facility suffers an imminent injury
28 from the facility's existing or imminently threatened noncompliance with the ADA, a

1 plaintiff who is deterred from patronizing a hotel suffers the ongoing actual injury of
2 lack of access to the Hotel.

3 **COUNT ONE**
4 **Violation of Plaintiff's Civil Rights under the ADA**

5 14. Plaintiff realleges all allegations heretofore set forth.

6 15. By virtue of his disability, Plaintiff requires an ADA compliant lodging facility
7 particularly applicable to his mobility, both ambulatory and wheelchair assisted.

8 16. Plaintiff intended to visit Dallas, Texas for a visit between February 20 -22, 2019
9 therefore, reviewed vacation booking websites as documented in Addendum A which
10 is by this reference incorporated herein for all purposes.

11 17. Plaintiff consulted booking websites and noted that the booking websites failed to
12 identify and describe mobility related accessibility features and guest rooms offered
13 through its reservations service in enough detail to reasonably permit Plaintiff to
14 assess independently whether Defendant's Hotel meets his accessibility needs as more
15 fully documented in Addendum A.

16 18. Defendant has violated the ADA by denying Plaintiff equal access to its public
17 accommodation on the basis of his disability as outlined above and as outlined in
18 Addendum A.

19 19. The ADA violations described in Addendum A relate to Plaintiff's disability and
20 interfere with Plaintiff's full and complete enjoyment of the Hotel.

21 20. As a result of the deficiencies described above, Plaintiff declined to book a room at
22 Defendant's Hotel.

23 21. The removal of accessibility barriers listed above is readily achievable.

24 22. As a direct and proximate result of ADA Violations, Defendant's failure to remove
25 accessibility barriers prevented Plaintiff from equal access to the Defendant's public
26 accommodation.

27 **WHEREFORE**, Plaintiff prays for all relief as follows:

28 A. Relief described in 42 U.S.C. §2000a – 3; and

B. Relief described in 42 U.S.C. § 12188(a) and (b) and, particularly -

- 1 C. Injunctive relief order to alter Defendant's place of public accommodation to
2 make it readily accessible to and usable by ALL individuals with disabilities;
3 and
4 D. Requiring the provision of an auxiliary aid or service, modification of a
5 policy, or provision of alternative methods, to the extent required by
6 Subchapter III of the ADA; and
7 E. Equitable nominal damages; and
8 F. For costs, expenses and attorney's fees; and
9 G. All remedies provided for in 28 C.F.R. 36.501(a) and (b).

10 **COUNT TWO**

11 **Negligence**

12 23. Plaintiff realleges all allegations heretofore set forth.

13 24. Defendant had a duty to Plaintiff to remove ADA accessibility barriers so that Plaintiff
14 as a disabled individual would have full and equal access to the public
15 accommodation.

16 25. Defendant breached this duty.

17 26. Defendant is or should be aware that, historically, society has tended to isolate and
18 segregate individuals with disabilities, and, despite some improvements, such forms
19 of discrimination against individuals with disabilities continue to be a serious and
20 pervasive social problem¹.

21 27. Defendant knowingly and intentionally participated in this historical discrimination
22 against Plaintiff, causing Plaintiff damage.

23 28. Discrimination against individuals with disabilities persists in the use and enjoyment
24 of critical public accommodations².

25 29. Defendant's knowing and intentional persistence in discrimination against Plaintiff is
26 alleged, causing Plaintiff damage.

27 30. Individuals with disabilities, including Plaintiff, continually encounter various forms
28 of discrimination, including outright intentional exclusion, the discriminatory effects

¹ 42 U.S.C. § 12101(a)(2)

² 42 U.S.C. § 12101(a)(3)

1 of architectural, overprotective rules and policies, failure to make modifications to
2 existing facilities and practices, exclusionary qualification standards and criteria,
3 segregation, and relegation to lesser services, programs, activities, benefits, jobs, or
4 other opportunities³.

5 31. Defendant's knowing and intentional discrimination against Plaintiff reinforces above
6 forms of discrimination, causing Plaintiff damage.

7 32. Census data, national polls, and other studies have documented that people with
8 disabilities, as a group, occupy an inferior status in our society, and are severely
9 disadvantaged socially, vocationally, economically, and educationally⁴.

10 33. Defendant's knowing and intentional discrimination has relegated Plaintiff to an
11 inferior status in society, causing Plaintiff damage.

12 34. The Nation's proper goals regarding individuals with disabilities are to assure equality
13 of opportunity, full participation, independent living, and economic self-sufficiency
14 for such individuals⁵.

15 35. Defendant's knowing, and intentional discrimination has worked counter to our
16 Nation's goals of equality, causing Plaintiff damage.

17 36. Continued existence of unfair and unnecessary discrimination and prejudice denies
18 people with disabilities the opportunity to compete on an equal basis and to pursue
19 those opportunities for which our free society is justifiably famous, and costs the
20 United States billions of dollars in unnecessary expenses resulting from dependency
21 and nonproductivity⁶.

22 37. Defendant's knowing and intentional unfair and unnecessary discrimination against
23 Plaintiff demonstrates Defendant's knowing and intentional damage to Plaintiff.

24 38. Defendant's breach of duty caused Plaintiff damages including, without limitation,
25 the feeling of segregation, discrimination, relegation to second class citizen status the
26 pain, suffering and emotional damages inherent to discrimination and segregation and
27 other damages to be proven at trial.

28 ³ 42 U.S.C. §12101(a)(5)

⁴ 42 U.S.C. §12101(a)(6)

⁵ 42 U.S.C. §12101(a)(7)

⁶ 42 U.S.C. §12101(a)(8)

1 39. By violating Plaintiff's civil rights, Defendant engaged in intentional, aggravated and
2 outrageous conduct.

3 40. The ADA has been the law of the land since 1991, but Defendant engaged in a
4 conscious action of a reprehensible character, that is, Defendant denied Plaintiff his
5 civil rights, and cause him damage by virtue of segregation, discrimination, relegation
6 to second class citizen status the pain, suffering and emotional damages inherent to
7 discrimination and segregation and other damages to be proven at trial

8 41. Defendant either intended to cause injury to Plaintiff or defendant consciously
9 pursued a course of conduct knowing that it created a substantial risk of significant
10 harm to Plaintiff.

11 42. Defendant is liable to Plaintiff for punitive damages in an amount to be proven at trial
12 sufficient, however, to deter this Defendant and others similarly situated from
13 pursuing similar acts.

14 **WHEREFORE**, Plaintiff prays for relief as follows:

15 A. For finding of negligence; and

16 B. For damages in an amount to be proven at trial; and

17 C. For punitive damages to be proven at trial; and

18 D. For such other and further relief as the Court may deem just and proper.

19 **REQUEST FOR TRIAL BY JURY**

20 Plaintiff respectfully requests a trial by jury in issues triable by a jury.

21 DATED this 2019-04-03

22 **PETER STROJNIK**


23 
24 Plaintiff
25
26
27
28

ADDENDUM A

ADA VIOLATIONS
3RD PARTY BOOKING WEBSITE - HOTELS.COM

Four Seasons Hotel Dallas

4150 N Macarthur Blvd, Irving, TX, 75038, United States, 866-573-4235




5-star hotels

- Las Colinas
- 11 miles to City center
- 5.3 miles to Dallas-Fort Worth International Airport (DFW)
- Collect nights

Loved by guests

Superb 9.0

70 Hotels.com guest reviews



 1,760 reviews

Identification.

Main amenities

✓ 431 smoke-free guestrooms	✓ 4 indoor and 8 outdoor tennis courts
✓ Golf course	✓ Valet parking
✓ 3 restaurants	✓ Conference center
✓ Full-service spa	✓ Limotown car service
✓ Indoor pool and 2 outdoor pools	✓ Childcare
✓ Breakfast available	✓ 24-hour front desk
✓ Free WiFi	

About Four Seasons Hotel Dallas, Irving

Location.
Surrounded by 400 acres of rolling hills, Four Seasons Hotel Dallas is 13 miles from downtown Dallas, 13.5 miles from the Dallas Arts District, and 16 miles from Cowboys Stadium.

Hotel Features.
This luxury resort is home to an 18-hole, par-70 championship golf course. The resort's main pool covers approximately 25,000 square feet in a winding, vine-like shape. Guests can swim laps in the indoor pool. A children's pool is also on site. A full-service, European-style day spa features 16 treatment rooms, a relaxation area, spa cuisine, and an outdoor spa pool. Other highlights include 12 indoor and outdoor tennis courts, and five restaurants and lounges.

Guestrooms.
Guestrooms feature balconies or patios with golf-course views. Beds are layered with luxury linens. Flat-panel TVs come with premium channels and DVD players. Wireless and/or wired high-speed internet access is available. Large marble bathrooms include deep soaking tubs, separate showers, thick terry robes, and designer bath products. Turn-down service is provided each evening. All guestrooms are nonsmoking.

Key facts**Size**

- 431 rooms
- Arranged over 9 floors

Arriving/leaving

 95% of customers were happy with check-in

- Check-in time 3 PM-1:00 AM
- Check-out time is noon
- Express check-in/out

Required at check-in

- Credit card or cash deposit required
- Government-issued photo ID required
- Minimum check-in age is 21

At the resort**Taking the kids?**

Children's club (surcharge) |
Supervised childcare/activities (surcharge)

Food and drink

Buffet breakfast daily (surcharge) | 3 restaurants | Bar/lounge |
Coffee shop/café | Snack bar/deli | Poolside bar |
24-hour room service | Coffee/tea in a common area

Things to do

Fitness classes on site | Basketball on site | Golf lessons on site |
Golf driving range on site | Golfing on site | Pilates classes on site |
Playground on site | Racquetball/squash on site |
Tennis lessons on site | Volleyball on site |
Yoga classes/instruction on site | Hiking/biking trails nearby |
Mountain biking nearby | Scooter/moped rentals nearby |
Water skiing nearby | Windsurfing nearby

Working away

Business center | Conference space | Meeting rooms |
Conference space size (feet) - 41000 |
Conference space size (meters) - 3809 | Conference center |
Computer station

Services

24-hour front desk | Concierge services | Tours/ticket assistance |
Limo or Town Car service available | Dry cleaning/laundry service |
Laundry facilities | Hair salon | Free newspapers in lobby |
Luggage storage | Wedding services | Multilingual staff |
Porter/bellhop

Facilities

Number of buildings/towers - 6 | Year Built 1988 | Elevator/lift |
ATM/banking | Safe-deposit box at front desk | Picnic area |
Television in common areas

Accessibility

Accessible bathroom | In-room accessibility | Roll-in shower

Languages Spoken

English | French | Spanish

In the apartment**Home comforts**

In-room climate control (air conditioning) | Air conditioning |
 Minibar | Coffee/tea maker | Bathrobes | Slippers |
 Iron/ironing board

Sleep well

Hypo-allergenic bedding available | Turndown service |
 Premium bedding

Things to enjoy

In-room massage available | Patio

Freshen up

Private bathroom | Deep soaking bathtub | Designer toiletries |
 Hair dryer

Be entertained

Flat-screen TV | Pay movies | Premium TV channels |
 DVD player | Video-game console

Stay connected

Desk | Free newspaper | Free WiFi | Free local calls

Food and drink

Refrigerator

More

Daily housekeeping | In-room safe

Four Seasons Hotel Dallas, Irving's small print**Also known as**

- Dallas Four Seasons Hotel
- Four Seasons Dallas Irving
- > See more

Policies

Guests under 18 years old are not allowed in the spa tub.

Guests under 12 years old are not allowed in the spa.

Reservations are required for golf tee times and can be made by contacting the property before arrival at the number on the booking confirmation.

Mandatory fees

You'll be asked to pay the following charges at check in or check out:

- Resort fee: USD 33.35 per accommodation, per night

Resort fee inclusions:

- Pool access
- Spa access (may be limited)
- > See more

Inclusions may be listed elsewhere on the page as free or for a surcharge.

Optional extras

Self parking costs USD 20 per night

Valet parking costs USD 29 per night

Rollaway beds are available for USD 25.0 per night

Breakfast costs between USD 12 and USD 26 per person (approximately)

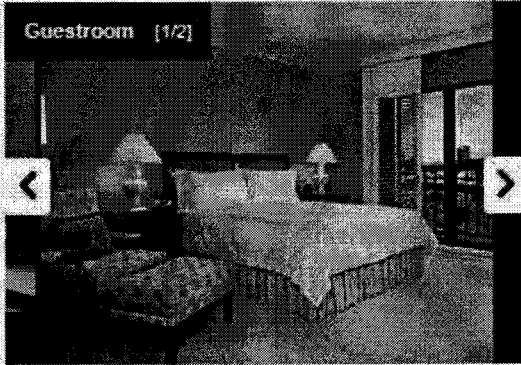
Children's club access is available for an extra charge

Babysitting/childcare is available for an extra charge

Pets are allowed for an extra charge of USD 75 per pet, per stay

Room, 1 King Bed, Tower

Guestroom [1/2]



Sleeps 3 people (including up to 2 children)

Bed choices

- 1 King Bed

Extra beds available

- Crib • Rollaway bed

More Info: 888-539-8117

1 King Bed

Features a private patio

Relax - In-room massage available

Internet - Free WiFi

Entertainment - Flat-screen TV with premium channels and pay movies

Food & Drink - Refrigerator, minibar, coffee/tea maker, and 24-hour room service

Sleep - Premium bedding and turndown service

Bathroom - Private bathroom, deep soaking bathtub and separate shower

Practical - Free local calls, safe, and free newspaper; rollaway/extra beds and free cribs/infant beds available on request

Comfort - Air conditioning and daily housekeeping
Smoking/Non Smoking

Details

- | | | |
|--------------------------|--|-----------------------------------|
| • Air conditioning | • Free WiFi | • Premium bedding |
| • Bathrobes | • Hair dryer | • Premium TV channels |
| • Cable TV service | • Hypo-allergenic bedding available | • Private bathroom |
| • Coffee/tea maker | • In-room climate control (air conditioning) | • Refrigerator |
| • Daily housekeeping | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Deep soaking bathtub | • In-room safe | • Room service (24 hours) |
| • Designer toiletries | • Iron/ironing board | • Separate bathtub and shower |
| • Desk | • Minibar | • Slippers |
| • DVD player | • Number of bathrooms - 1 | • Turndown service |
| • Flat-panel TV | • Patio | • Video-game console |
| • Free cribs/infant beds | • Pay movies | |
| • Free local calls | • Phone | |
| • Free newspaper | | |
| • Free toiletries | | |

Room, 1 King Bed, Accessible, Tower

Guestroom [1/2]

**1 King Bed**

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Sleeps 3 people (including up to 2 children)**Bed choices**

- 1 King Bed

Extra beds available

- Crib • Rollaway bed

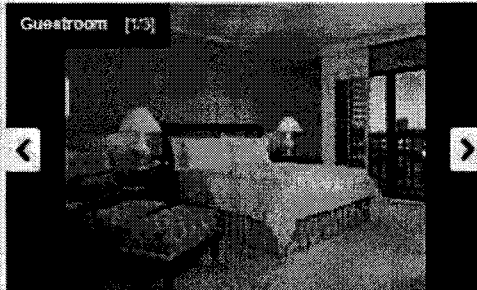
More info: 866-539-8117

Details

- Air conditioning
- Bathrobes
- Cable TV service
- Coffee/tea maker
- Daily housekeeping
- Deep soaking bathtub
- Designer toiletries
- Desk
- DVD player
- Flat panel TV
- Free crib/infant beds
- Free local calls
- Free newspaper
- Free toiletries
- Free WiFi
- Hair dryer
- Hypo-allergenic bedding available
- In-room climate control (air conditioning)
- In-room massage available
- In-room safe
- Iron/ironing board
- Minibar
- Number of bathrooms - 1
- Patio
- Pay movies
- Phone
- Premium bedding
- Premium TV channels
- Private bathroom
- Refrigerator
- Rollaway/extra beds (surcharge)
- Room service (24 hours)
- Separate bathtub and shower
- Slippers
- Turndown service
- Video game console

Signature Room, 1 King Bed, Tower

Guestroom [1/3]

**1 King Bed**

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Sleeps 3 people (including up to 2 children)**Bed choices**

- 1 King Bed

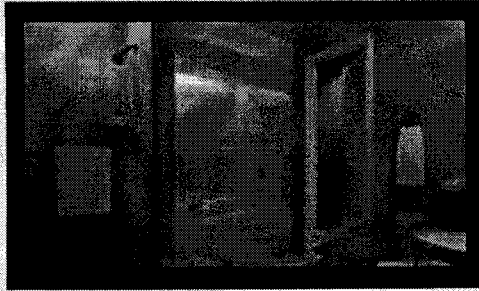
Extra beds available

- Crib • Rollaway bed

More info: 866-539-8117

Details

- Air conditioning
- Bathrobes
- Cable TV service
- Coffee/tea maker
- Daily housekeeping
- Deep soaking bathtub
- Designer toiletries
- Desk
- DVD player
- Flat panel TV
- Free crib/infant beds
- Free local calls
- Free newspaper
- Free toiletries
- Free WiFi
- Hair dryer
- Hypo-allergenic bedding available
- In-room climate control (air conditioning)
- In-room massage available
- In-room safe
- Iron/ironing board
- Minibar
- Number of bathrooms - 1
- Patio
- Pay movies
- Phone
- Premium bedding
- Premium TV channels
- Private bathroom
- Refrigerator
- Rollaway/extra beds (surcharge)
- Room service (24 hours)
- Separate bathtub and shower
- Slippers
- Turndown service
- Video game console

Signature Room, 2 Double Beds, Tower

Sleeps 2 people (including up to 1 child)

Bed choices

- 2 Double Beds

Extra beds available

- Crib • Rollaway bed

More info: 888-539-8117

2 Double Beds

Features a private patio

Relax - In-room massage available

Internet - Free WiFi

Entertainment - Flat-screen TV with premium channels and pay movies

Food & Drink - Refrigerator, minibar, coffee/tea maker, and 24-hour room service

Sleep - Premium bedding and turndown service

Bathroom - Private bathroom, deep soaking bathtub and separate shower

Practical - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request

Comfort - Air conditioning and daily housekeeping
Smoking/Non Smoking

Details

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turndown service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Pay movies | |
| • Free newspaper | | |

Room, 2 Double Beds (Villa)

Sleeps 3 people (including up to 2 children)

Bed choices

- 2 Double Beds

Extra beds available

- Crib • Rollaway bed

More info: 888-539-8117

2 Double Beds

Features a private patio

Relax - In-room massage available

Internet - Free WiFi

Entertainment - Flat-screen TV with premium channels and pay movies

Food & Drink - Refrigerator, minibar, coffee/tea maker, and 24-hour room service

Sleep - Premium bedding and turndown service

Bathroom - Private bathroom, deep soaking bathtub and separate shower

Practical - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request

Comfort - Air conditioning and daily housekeeping
Smoking/Non Smoking

Details

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turndown service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Pay movies | |
| • Free newspaper | | |

Room, 2 Double Beds, Accessible (Villa)**2 Double Beds**

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Sleeps 3 people (including up to 2 children)

Bed choices

- 2 Double Beds

Extra beds available

- Crib • Rollaway bed

More Info: 888-539-6117

Details

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turndown service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Pay movies | |
| • Free newspaper | | |

Room, 1 King Bed (Villa)

Sleeps 3 people (including up to 2 children)

Bed choices

- 1 King Bed

Extra beds available

- Crib • Rollaway bed

More Info: 888-539-6117

1 King Bed

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Details

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turndown service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Pay movies | |
| • Free newspaper | | |

Room, 1 King Bed, Accessible (Villa)**Sleeps 3 people** (including up to 2 children)**Bed choices**

- 1 King Bed

Extra beds available

- Crib • Rollaway bed

More Info: 866-539-8117

1 King Bed

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Details

- | | | |
|-------------------------|--|----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (purchase) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turndown service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Play movies | |
| • Free newspaper | | |

Room, 1 King Bed, Corner (Tower)

Guestroom [1/2]

**1 King Bed**

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Sleeps 3 people (including up to 2 children)**Bed choices**

- 1 King Bed

Extra beds available

- Crib • Rollaway bed

More Info: 866-539-8117

Details

- | | | |
|-------------------------|--|----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (purchase) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turndown service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Play movies | |
| • Free newspaper | | |

Premier Room, 1 King Bed, Golf View**Sleeps 3 people** (including up to 2 children)**Bed choices**

- 1 King Bed

Extra beds available

- Crib • Rollaway bed

More Info: 866-539-8117

1 King Bed

Patio with golf course views

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Details

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Sippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turn-down service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Play movies | |
| • Free newspaper | | |

Premier Room (Villa)**Sleeps 3 people** (including up to 2 children)**Bed choices**

- 1 King Bed

Extra beds available

- Crib • Rollaway bed

More Info: 866-539-8117

1 King Bed

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Details

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Sippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turn-down service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Play movies | |
| • Free newspaper | | |

Room, 2 Double Beds, Pool View (Villa)**Sleeps 4 people** (including up to 2 children)**Bed choices**

- 2 Double Beds
- Extra beds available**
- Crib • Rollaway bed

More info: 866-539-8117

2 Double Beds

Patio with pool views

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free cribs/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Details

- | | | |
|--------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turn-down service |
| • Free cribs/infant beds | • Patio | • Video game console |
| • Free local calls | • Pay movies | |
| • Free newspaper | | |

Room, 1 King Bed, Pool View (Villa)**Sleeps 3 people** (including up to 2 children)**Bed choices**

- 1 King Bed
- Extra beds available**
- Crib • Rollaway bed

More info: 866-539-8117

1 King Bed

Patio with pool views

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free cribs/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Details

- | | | |
|--------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turn-down service |
| • Free cribs/infant beds | • Patio | • Video game console |
| • Free local calls | • Pay movies | |
| • Free newspaper | | |

Four Seasons, Executive Suite, 1 King Bed**Sleeps 4 people** (including up to 2 children)**Bed choices**

- 1 King Bed
- Extra beds available**
- Crib • Rollaway bed

More info: 866-639-6117

1 King Bed

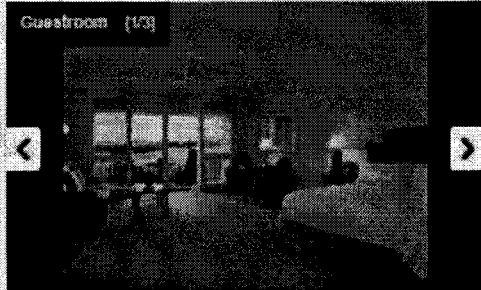
Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Details

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turndown service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Play movies | |
| • Free newspaper | | |

Villa, 1 King Bed**Guestroom (103)****1 King Bed**

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping

Smoking/Non Smoking

Details

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Iron/ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turndown service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Play movies | |
| • Free newspaper | | |

Sleeps 4 people (including up to 3 children)**Bed choices**

- 1 King Bed
- Extra beds available**
- Crib • Rollaway bed

More info: 866-639-6117

Villa, 1 Bedroom, Accessible

Guestroom [1/2]

**Sleeps 4 people** (including up to 3 children)**Bed choices**

- 1 King Bed

Extra beds available

- Crib • Rollaway bed

More info: 866-639-8117

1 King Bed

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping
Smoking/Non Smoking**Details**

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turn-down service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Pay movies | |
| • Free newspaper | | |

Premier Suite, 1 King Bed, Tower (Bymorrish)**Sleeps 4 people** (including up to 3 children)**Bed choices**

- 1 King Bed

Extra beds available

- Crib • Rollaway bed

More info: 866-639-8117


1 King Bed

Features a private patio

Relax - In-room massage available**Internet** - Free WiFi**Entertainment** - Flat-screen TV with premium channels and pay movies**Food & Drink** - Refrigerator, minibar, coffee/tea maker, and 24-hour room service**Sleep** - Premium bedding and turndown service**Bathroom** - Private bathroom, deep soaking bathtub and separate shower**Practical** - Free local calls, safe, and free newspaper; rollaway/extra beds and free crib/infant beds available on request**Comfort** - Air conditioning and daily housekeeping
Smoking/Non Smoking**Details**

- | | | |
|-------------------------|--|-----------------------------------|
| • Air conditioning | • Free toiletries | • Phone |
| • Bathrobes | • Free WiFi | • Premium bedding |
| • Cable TV service | • Hair dryer | • Premium TV channels |
| • Coffee/tea maker | • Hypo-allergenic bedding available | • Private bathroom |
| • Daily housekeeping | • In-room climate control (air conditioning) | • Refrigerator |
| • Deep soaking bathtub | • In-room massage available | • Rollaway/extra beds (surcharge) |
| • Designer toiletries | • In-room safe | • Room service (24 hours) |
| • Desk | • Ironing board | • Separate bathtub and shower |
| • DVD player | • Minibar | • Slippers |
| • Flat-panel TV | • Number of bathrooms - 1 | • Turn-down service |
| • Free crib/infant beds | • Patio | • Video game console |
| • Free local calls | • Pay movies | |
| • Free newspaper | | |

Premier Suite (Villa)



1 King Bed
Features a private patio

Relax - In-room massage available
Internet - Free WiFi
Entertainment - Flat screen TV with premium channels and pay movies
Food & Drink - Refrigerator, minibar, coffee/tea maker, and 24 hour room service
Sleep - Premium bedding and linens
Bathroom - Private bathroom, deep soaking bathtub and separate shower
Practical - Free local calls, safe, and free newspaper, rollaway/extra beds and free crib/infant beds available on request
Comfort - Air conditioning and daily housekeeping
 Smoking/Non Smoking

Sleeps 4 people (including up to 3 children)
Bed choices
 • 1 King Bed
Extra beds available
 • Crib • Rollaway bed
 More info: 866-539-8117

Details

• Air conditioning	• Free toiletries	• Phones
• Bathrobes	• Free WiFi	• Premium bedding
• Cable TV service	• Hair dryer	• Premium TV channels
• Coffee/tea maker	• Hypo-allergenic bedding available	• Private bathroom
• Daily housekeeping	• In-room climate control (air conditioning)	• Refrigerator
• Deep soaking bathtub	• In-room massage available	• Rollaway/extra beds (surcharge)
• Designer toiletries	• In-room safe	• Room service (24 hours)
• Desk	• Ironing board	• Separate bathtub and shower
• DVD player	• Minibar	• Stippers
• Flat panel TV	• Number of bathrooms - 1	• Turndown service
• Free crib/infant beds	• Pool	• Video game console
• Free local calls	• Play movies	
• Free newspaper		

ADA Deficiency: (1) Failure to identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs. (2) Insufficient dispersion of accessible rooms. *See* 2010 Standards for Accessibility Design @ 224.2. Hotel has 431 rooms which requires it to provide 13 mobility accessible rooms dispersed as follows:

224.5 Dispersion: Guest rooms required to provide mobility features complying with 806.2 and guest rooms required to provide communication features complying with 806.3 shall be dispersed among the various classes of guest rooms, and shall provide choices of types of guest rooms, number of beds, and other amenities comparable to the choices provided to other guests. Where the minimum number of guest rooms required to comply with 806 is not sufficient to allow for complete dispersion, guest rooms shall be dispersed in the following priority: guest room type, number of beds, and amenities. At least one guest room required to provide mobility features complying with 806.2 shall also provide communication features complying with 806.3. Not more than 10 percent of guest rooms required to provide mobility features complying with 806.2 shall be used to satisfy the minimum number of guest rooms required to provide communication features complying with 806.3.

Advisory 224.5 Dispersion. Factors to be considered in providing an equivalent range of options may include, but are not limited to, room size, bed size, cost, view, bathroom fixtures such as hot tubs and spas, smoking and nonsmoking, and the number of rooms provided.

Of 18 categories of rooms, only 4 are allegedly accessible

1ST PARTY BOOKING WEBSITE

<https://www.fourseasons.com/dallas/>

NO GENERAL ACCESSIBILITY INFORMATION

INADEQUATE ACCESSIBLE ROOM DESCRIPTIONS

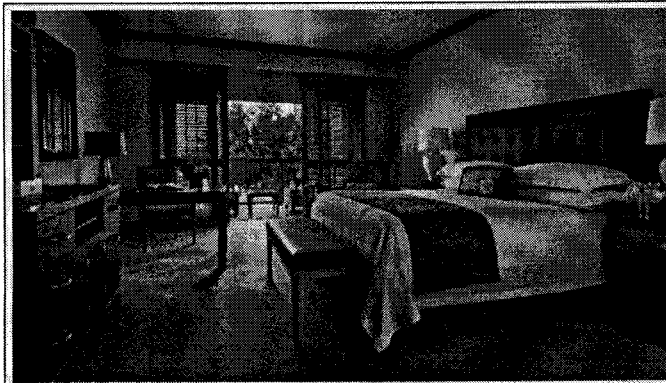


VILLA ACCESSIBLE SUITE

- ☐ KING BED, ONE ROLLAWAY OR ONE CHIL
- ☐ 1,335 SQ. FT. (125 M²) / VILLA BUILDING, NEAR THE 18TH GREEN
- ☐ 3 GUESTS, INCLUDING UP TO 2 CHILDREN

CHECK RATES

DETAILS



ACCESSIBLE TOWER ROOM

- ☐ KING BED, ONE ROLLAWAY OR ONE CHIL
- ☐ 425 SQ. FT. (39 M²) / MAIN BUILDING, 2ND TO 4TH FLOORS
- ☐ 3 GUESTS, INCLUDING UP TO 2 CHILDREN

CHECK RATES

DETAILS



VILLA ACCESSIBLE ROOM

- ☐ ONE KING BED OR TWO DOUBLE BEDS, KING-BEDDED ROOM, ONE ROLLAWAY OR ONE CHIL
- ☐ 535 SQ. FT. (50 M²) / VILLA BUILDING NEAR THE 18TH GREEN
- ☐ KING: 2 ADULTS, OR 2 ADULTS AND 2 CHILDREN, DOUBLE: 4 ADULTS, OR 2 ADULTS AND 2 CHILDREN

CHECK RATES

DETAILS

ADA Deficiency: ADA Deficiency: (1) Failure to identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs. (2) Insufficient dispersion of accessible rooms.

END

RECEIVED

APR - 9 2019

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Peter Strojnik, Sr.

DEFENDANTS

Extel Development Company dba Four Seasons Hotel Dallas

(b) County of Residence of First Listed Plaintiff Maricopa, AZ
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Pro Se
7847 N. Central Avenue Phoenix, AZ 85020
602-524-6602

Attorneys (If Known)

319 - CV0870 - S

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input checked="" type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 USC 12101

Brief description of cause:
ADA

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
4/4/2019

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

JS 44 Reverse (Rev. 06/17)

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- Date and Attorney Signature.** Date and sign the civil cover sheet.

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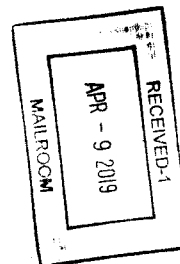
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